

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AESHIA REMAE WILLIS ,

Plaintiff,

V.

KING COUNTY CORRECTIONAL FACILITY,

Defendant.

CASE NO. 2:25-cv-01319-BJR-BAT

SERVICE ORDER

This is a civil rights action brought pursuant to 42 U.S.C. § 1983. Plaintiff is proceeding with this action *pro se* and *in forma pauperis*. Plaintiff is currently detained at the Washington Corrections Center for Women and is accordingly subject to the Court's Mandatory E-Filing Project under General Orders 02-15 and 06-16. Any pleading Plaintiff files that does not comply with the E-Filing Project may be stricken. The Court, having reviewed plaintiff's complaint, hereby ORDERS as follows:

(1) Service by Clerk

The Clerk is directed to send via U.S. Mail a copy of the complaint, a copy of this Order, a copy of the notice of lawsuit and request for waiver of service of summons, and a waiver of service of summons to Defendant King County Jail, at 500 5th Ave., Seattle, WA 98104, and to

1 the King County Prosecuting Attorney's Office, King County Courthouse, 516 Third Ave.,
2 W400, Seattle, WA 98104.

3 (2) Response Required

4 Defendant shall have **thirty (30) days** within which to return the enclosed waiver of
5 service of summons. A defendant who timely returns the signed waiver shall have **sixty (60)**
6 **days** after the date designated on the notice of lawsuit to file and serve an answer to the
7 complaint or a motion permitted under Rule 12 of the Federal Rules of Civil Procedure.

8 A defendant who fails to timely return the signed waiver will be personally served with a
9 summons and complaint and may be required to pay the full costs of such service, pursuant to
10 Rule 4(d)(2) of the Federal Rules of Civil Procedure.

11 (3) Filing and Service by Parties, Generally

12 All attorneys admitted to practice before this Court are required to file documents
13 electronically via the Court's CM/ECF system. Counsel are directed to the Court's website,
14 www.wawd.uscourts.gov, for a detailed description of the requirements for filing via CM/ECF.
15 Plaintiff shall file all documents electronically. All filings must indicate in the upper right corner
16 the name of the magistrate judge to whom the document is directed.

17 Any document filed with the Court must be accompanied by proof that it has been served
18 upon all parties that have entered a notice of appearance in the underlying matter. Plaintiffs who
19 are subject to the Court's E-Filing Initiative shall indicate the date the document is submitted for
20 e-filing as the date of service.

21 (4) Non-State Defendants

22 As a registered user of the Court's electronic filing system, you must accept electronic
23 service of all court filings (**except** original service of a complaint) by prisoner litigants housed at

1 facilities actively engaged in the Prisoner E-Filing Initiative. Prisoner litigants incarcerated at
2 facilities actively engaged in the Prisoner E-Filing Initiative are no longer required to serve their
3 court filings on the Court or defendants by mail. Service by mail of your court filings to prison
4 litigants housed in facilities actively engaged in the Prisoner E-Filing Initiative is also no longer
5 required.

6 (5) Motions, Generally

7 Any request for court action shall be set forth in a motion, properly filed and served.
8 Pursuant to LCR 7(b), any argument being offered in support of a motion shall be submitted as a
9 part of the motion itself and not in a separate document. The motion shall include in its caption
10 (immediately below the title of the motion) a designation of the date the motion is to be noted for
11 consideration upon the Court's motion calendar.

12 The motion shall be noted in accordance with LCR 7(d). Motions including stipulated
13 and agreed motions, motions to file over-length motions or briefs, motions for reconsideration,
14 joint submissions pursuant to the optional procedure established in LCR 37(a)(2), motions for
15 default, requests for the clerk to enter default judgment, ex parte motions, motions to recuse, and
16 motions for a temporary restraining order shall be noted for consideration on the day they are
17 filed. LCR 7(d)(1). Other non-dispositive motions shall be noted for consideration no earlier
18 than 21 days from the date of filing. LCR 7(d)(3). All dispositive motions, and motions such as
19 a motion seeking a preliminary injunction or a motion directed toward changing the forum, shall
20 be noted for consideration no earlier than 28 days after filing. LCR 7(d)(4).

21 For electronic filers, any opposition to a non-dispositive motion shall be filed and
22 received by the moving party no later than 15 days after the filing date of the motion, and any
23 reply shall be filed and received by the opposing party no later than 21 days after the filing date

1 of the motion. LCR 7(d)(3). Any opposition to a dispositive motion by an electronic filer shall
2 be filed and received by the moving party no later than 21 days after the filing date of the motion
3 and any reply shall be filed and received by the opposing party no later than 28 days after the
4 filing date of the motion. LCR 7(d)(4).

5 (6) Motions to Dismiss and Motions for Summary Judgment

6 Parties filing motions to dismiss pursuant to Rule 12 of the Federal Rules of Civil
7 Procedure and motions for summary judgment pursuant to Rule 56 of the Federal Rules of Civil
8 Procedure should acquaint themselves with those rules. As noted above, these motions shall be
9 noted for consideration no earlier than 28 days after filing and service of the motion.

10 Defendants filing motions to dismiss based on a failure to exhaust or motions for
11 summary judge are advised that they MUST serve a *Rand* notice concurrently with motions to
12 dismiss based on a failure to exhaust and motions for summary judgment so that *pro se* prisoner
13 plaintiffs will have fair, timely and adequate notice of what is required of them in order to
14 oppose those motions. *Woods v. Carey*, 684 F.3d 934, 941 (9th Cir. 2012). The Ninth Circuit
15 has set forth model language for such notices:

16 A motion for summary judgment under Rule 56 of the Federal Rules of Civil
17 Procedure will, if granted, end your case.

18 Rule 56 tells you what you must do in order to oppose a motion for summary
19 judgment. Generally, summary judgment must be granted when there is no genuine
20 issue of material fact – that is, if there is no real dispute about any fact that would
21 affect the result of your case, the party who asked for summary judgment is entitled
22 to judgment as a matter of law, which will end your case. When a party you are
23 suing makes a motion for summary judgment that is properly supported by
declarations (or other sworn testimony), you cannot simply rely on what your
complaint says. Instead, **you must set out specific facts in declarations, depositions, answers to interrogatories, or authenticated documents, as provided in Rule 56(e), that contradict the facts shown in the defendant's declarations and documents and show that there is a genuine issue of material fact for trial. If you do not submit your own evidence in opposition, summary judgment, if appropriate, may be entered against you. If summary judgment**

is granted, your case will be dismissed and there will be no trial.

Rand v. Rowland, 154 F.3d 952, 963 (9th Cir. 1998) (emphasis added).

Defendants who fail to file and serve the required *Rand* notice on plaintiff may have their motion stricken from the Court's calendar with leave to refile.

(7) Direct Communications with District Judge or Magistrate Judge

No direct communication is to take place with the District Judge or Magistrate Judge with regard to this case. All relevant information and papers are to be directed to the Clerk.

(8) The Clerk is directed to send copies of this Order and of the Court's *pro se* instruction sheet to plaintiff.

DATED this 25th day of July, 2025.

BT
BRIAN A. TSUCHIDA
United States Magistrate Judge